

1 V.R. Bohman, Esq.
2 Nevada Bar No. 13075
3 SNELL & WILMER L.L.P.
4 3883 Howard Hughes Parkway, Suite 1100
5 Las Vegas, Nevada 89169
6 Telephone: 702.784.5200
7 Facsimile: 702.784.5252
8 Email: vbohman@swlaw.com

9 Sid Leach, Esq. (*Admitted Pro Hac Vice*)
10 SNELL & WILMER L.L.P.
11 2400 E. Van Buren – One Arizona Center
12 Phoenix, Arizona 85004
13 Telephone: 602.382.6000
14 Facsimile: 602.382.0430
15 Email: sleach@swlaw.com

16 William Y. Klett, III, Esq. (*Admitted Pro Hac Vice*)
17 BURR FORMAN
18 1221 Main Street, Suite 1800
19 Columbia, South Carolina 29201
20 Telephone: 803.753.321
21 Facsimile: 803.753.3278
22 Email: wklett@burr.com

23 *Attorneys for Plaintiff Composite Resources, Inc.*

24 **UNITED STATES DISTRICT COURT**

25 **DISTRICT OF NEVADA**

26 COMPOSITE RESOURCES, INC.,

27 Case No. 2:17-cv-01755-MMD-VCF

28 Plaintiff,

STATUS REPORT

vs.

RECON MEDICAL, LLC,

Defendant.

23 Plaintiff Composite Resources, Inc. (“CRI”), by and through its undersigned attorneys of
24 record, submits this Status Report regarding Defendant Recon Medical, LLC’s (“Recon”)
25 bankruptcy case in order to provide the Court with an update as to CRI’s efforts to obtain stay
26 relief. On September 3, 2021, Recon filed a Chapter 11 voluntary petition with the United States
27 Bankruptcy Court for the District of Nevada, Case No. 21-14382 (the “Bankruptcy Case”) and
28 filed a Notice of Bankruptcy with this Court. ECF No. 192. On September 7, 2021, this Court

1 issued a minute order, stating that the trial date of November 29, 2021 will be vacated unless the
2 automatic stay is lifted by October 1, 2021. ECF No. 193.

3 On September 17, 2021, CRI filed a *Motion to Confirm Absence of the Automatic Stay, or*
4 *in the alternative, Relief from the Automatic Stay to Proceed with the District Court Action for*
5 *Injunction Against Post Petition Patent Infringement by Debtor* (the “Motion”). ECF No. 44 in
6 the Bankruptcy Case. A copy of the Motion without exhibits is attached as **Exhibit A**. CRI
7 requested that the Bankruptcy Court hear the Motion on shortened time. The Bankruptcy Court
8 granted this request and scheduled the hearing on the Motion for September 30, 2021 at 9:30 a.m.
9 ECF No. 53 in the Bankruptcy Case.

10 CRI asserts in the Motion that the continued, post-petition infringement by Recon is not
11 protected by the automatic stay, and therefore, requests that the Bankruptcy Court confirm that
12 the automatic stay does not apply to CRI's attempt to obtain an injunction against the post-
13 petition infringement in this Court. Alternatively, CRI requests relief from the automatic stay to
14 allow the trial to proceed on November 29, 2021 on CRI's request for an injunction against the
15 post-petition infringement by Recon.

16 CRI will provide a further update to this Court with the result or current status of the
17 Bankruptcy Court hearing by October 1, 2021.

20 Dated: September 23, 2021

SNELL & WILMER LLP

By: /s/ V.R. Bohman
Sid Leach, Esq.
V.R. Bohman, Esq.
3883 Howard Hughes Parkway, Suite 1100
Las Vegas, Nevada 89169

William Y. Klett, III, Esq.
(Admitted Pro Hac Vice)
BURR FORMAN
1221 Main Street, Suite 1800
Columbia, South Carolina 29201

Attorneys for Plaintiff Composite Resources, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on September 23, 2021, I electronically transmitted the foregoing **STATUS REPORT** to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to all counsel in this matter; all counsel being registered to receive Electronic Filing.

/s/ *Maricris Williams*

An employee of Snell & Wilmer L.L.P.

Snell & Wilmer L.L.P.
— LAW OFFICES
3883 Howard Hughes Parkway, Suite
Las Vegas, Nevada 89169
702.784.5200

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INDEX OF EXHIBITS

2 Exhibit No.	3 Description	4 No. of Pages
A	Motion to Confirm Absence of the Automatic Stay, or in the alternative, Relief from the Automatic Stay to Proceed with the District Court Action for Injunction Against Post Petition Patent Infringement by Debtor	12

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Snell & Wilmer
L.L.P.
LAW OFFICES
3883 Howard Hughes Parkway, Suite 1100
Las Vegas, Nevada 89169
702.784.5200